

THE STATE OF NEW HAMPSHIRE
SUPREME COURT

NO. 2018-0376

PAUL MARAVELIAS
V.
DAVID DEPAMPHILIS

APPELLANT’S MOTION TO SET ASIDE JUDGMENT

Plaintiff-Appellant Paul Maravelias (hereinafter, “Maravelias”) respectfully moves this Honorable Court to set aside the \$4,900.00 “judgment” in its 3/29/19 Order. In further support, Maravelias states as follows:

1. On 12/28/18, Defendant-Appellee (“DePamphilis”) filed a Motion for Taxation of Costs and Rule 23 Award of Attorney’s Fees, granted on 2/21/19.
2. The Motion sought Rule 23 fees in connection with DePamphilis’s filing two 10/19/18 pleadings responding to two of Maravelias’s pleadings DePamphilis felt were “frivolous”. See Motion, ¶23.
3. Through charades of duplicity and obscurantism, DePamphilis managed to bait-and-switch this Court to make Maravelias to pay for *this entire*

appeal. His 3/4/19 itemization was supposed to enumerate attorney's fees solely in connection with filing the two 10/19/18 pleadings.

4. However, this Court granted DePamphilis's fraudulent itemization and ordered Maravelias to pay DePamphilis's months-long \$4,900.00 legal bill as punishment for filing this appeal. See 3/29/19 Order.

The Court's 3/29/19 Order is Fraudulent and Extortionate

5. Maravelias repeats and incorporates by reference his 5/6/19 Original Verified Complaint in *Paul Maravelias v. Supreme Court of New Hampshire, et al.*, 1:19-CV-00487-JL (N.H.D. 2019).

6. Maravelias repeats and incorporates by reference RSA 637:5, "Theft by Extortion" and 18 U.S. Code § 875, "Interstate communications".

The Court Should Grant the Motion to Set Aside Judgment

7. Having exhausted his Rule 22 Motion for Reconsideration, the instant Motion is the sole available remedy to cure this Court's 3/29/19 Order based upon "mistake, inadvertence, surprise, or excusable neglect" and "fraud (whether previously called intrinsic or extrinsic), misrepresentation, or misconduct by an opposing party". See Fed. Rules of Civ. Proc., Rule 60, "Relief from a Judgment or Order", clarifying a common-law remedy available in this Court.

8. For the above reasons, the Court should set aside and reverse its 3/29/19 Order which appropriates criminal fraud and extortion.

WHEREFORE, PREMISES CONSIDERED, Plaintiff-Appellant Paul Maravelias respectfully requests this Honorable Court:

- A. Grant this Motion;
- B. Set aside and reverse its 3/29/19 Order commanding Maravelias to pay DePamphilis \$4,900.00;
- C. Hold a Hearing on this matter; and
- D. Grant any further relief as shall be deemed just and equitable.

Respectfully submitted,

PAUL J. MARAVELIAS,

in propria persona

Dated: May 6th, 2019

CERTIFICATE OF SERVICE

I, Paul Maravelias, certify that a copy of the foregoing *Motion to Set Aside Judgment* is being mailed on this day to Simon R. Brown, Esq., counsel for the Defendant-Appellee, David DePamphilis, P.O. Box 1318, Concord, NH, 03302-1318.

May 6th, 2019
